

CIRCUMSTANTIAL EVIDENCE.

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CHAPTER I.

Orodelphia was very much like any other town of its size in Colorado. With western enterprise it had been an incorporated city before it could boast of five hundred souls, and it was quite as much a matter of course that the ambitious young community should, with all possible haste, treat itself to every advantage within its reach—the best available system of water works, fine school buildings, a handsomely equipped fire department to be proudly exhibited in glittering procession on all public occasions and a fair ground, where neighboring communities might annually be invited to contribute to the glory of Orodelphia.

Nor had there been any narrow minded hesitation as to assuming a burden of bonded indebtedness heavier than any before when at length the opportunity came to obtain railroad connection with the outside world, and nobody dreamed of murmuring that their public spirited enterprise had saddled them with taxes of corresponding excess. They liked to do things on a large scale, and quite took unctious to their souls in the fact that they handled no change smaller than a nickel.

The place was now mostly one long street of uneven and much varied architecture, interspersed here and there with a vacant lot. Weather beaten wooden buildings of the early day elbowed handsome brick blocks of conspicuous newness, the banks and saloons even attaining the splendor of plate glass fronts. The smelter near the mouth of the canyon at one end of the town and the flour mill on the creek a mile below, together told the business of the place, which had grown up as a distributing point and depot of supplies for the rich mining districts of the mountains on one hand, as well as for the ranches spread out over



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the rolling plains at the east. Scattered along the creek above the smelter were many bare, unpainted wooden structures, deserted and more or less fallen to decay. These had been concentrating and reduction ores, put up for treating refractory ores after original and secret methods. The ores, however, having proved refractory to a degree that had never been contemplated, the processes had, one by one, been abandoned for the time, and the inventors were now generally gone east looking for capital to push their schemes to success. When they came back, it was confidently predicted of each by his friends, Orodelphia was going to have a boom.

Meanwhile it might have been observed that the town got along in considerable comfort and prosperity without them. It had the electric light and the telephone; two weekly newspapers, each largely devoted to amazingly plain spoken vituperation of the other; a couple of banks smoothing off the rough edge of rivalry in their common cause of keeping discount rates up to fifteen per cent.; half a dozen saloons exuberantly flourishing; and, fittingly, as pitted against them, as many church organizations, all fervent in every good work save the one of paying their pastors promptly. There was the usual glorious Colorado climate, of which the people were as proud as if a monopoly of it had been granted them; and there prevailed the usual superb confidence in the future, when the embryo city, now only halting for capital to develop its remarkable resources, should rival Denver in size and importance. In anticipation of these metropolitan prospects there had even sprung up of late years a spasmodic discussion at election times as to the propriety of barring cows from the public streets and closing the saloons on Sundays; but these extreme measures were generally regarded as a too servile imitation of the effects east, and had so far been uncompromisingly frowned down by the independent voter.

They were wise in their generation, the pioneers who chose the site of the place, which, dependent upon the mines as it was, was yet a little removed from them all, in the narrow valley walled in by mesas, just without the one natural outlet to that section of the mountains, Pinon canyon. It was an anomaly among mining towns in that it had been encouraged to grow as beautiful as nature, aided by all the arts of cultivation, could make it. The most sanguine prospector had never thought to "strike it" in the precipitous foothills rising from the town at the west. No ugly excesses of crumbling dump-pile marred the rugged brown slopes; and the scant drapery of pines and dotting spearheads of spruce were left alone, since no gaping shaft nor tunnel was opened to swallow up the timber. One of the first moves of the early settlers had been to bring water from the mountains in generous irrigating ditches, to water the cottonwood trees that, with homesick memories of eastern elms, they planted all over their bare town; and now the tall trees nodded to each other across the broad streets, and luxuriant lawns and

gardens surrounded the comfortable homes, lavishly doing all that nature might to condone the redundancy of scroll saw decoration and the glare of white paint and green blinds.

With all its jostling eagerness to keep abreast of the times, Orodelphia still hung back in respect to that style of architecture known as Queen Anne, with all its vagaries of paint, the few specimens they had to show in that line being generally regarded in the light of curios obligingly provided by eccentric individuals for the diversifying of the landscape and the entertainment of their fellows, the popular taste still fondly clinging to the style of home most common at the east when the "fifty-niners" crossed the plains. But nothing could appear really common or ugly in that fair setting of greenery, against that grand mountain background which was the richest possession of the place. For countless miles the eye might follow the folds of the foothills, cleft here and there with gulch or canyon, here and there, standing on tiptoe, as it seemed, to look over their rugged shoulders, a big brother in snowy draperies tattered and torn, all masquerading in new forms and colors with every passing cloud, a fresh vision of beauty and grandeur every hour of the day.

It was a sight to thrill the dulled soul, the blaze of glowing color in which one August day was sinking to its close, the snowy peaks flushed with softened reflections of the sky, fair as the rose of maiden's cheek blooming under love's first kiss, the hills below turning dull blue gray, as starved of color as the shadows that fall over the heart when love's sun has set, and joy has burned itself out, like that sunset sky, in ashes of roses. Colder and more grim the foothills grew as the roseate lights faded slowly out, and twilight fell upon the heated valley like a cool hand laid on a fevered brow. The work of the day was over, and the dissipations of night were not yet begun.

Donald Bartels, screened from observation by thick vines and shrubs, which yet afforded a glimpse of what little might take place in the quiet street beyond the lawn, his feet disposed on the piazza balustrade, his chair tipped back to a luxurious angle, comfortably surveyed the world through the haze of his after dinner cigar. His wife, slowly swaying in a rocking chair near by, was anxiously regarding him.

"If you would only be reasonable, Don," she urged deprecatingly.

"But, my dear Nita, how could I be more so?" he good-humoredly retorted. "It is the most reasonable thing in the world for us to wire your amiable aunt that it is not convenient for us to receive her now, and ask her to see us later."

"But she is not my amiable aunt; that is the trouble," with a perplexed laugh. "She is capable of being very unamiable if we were to send her such a telegram. She would conclude at once—and quite naturally, too—that we didn't want her at all."

"Well, we don't, do we?" impudently blowing smoke rings into the air. "We should not yearn for her under any circumstances, but now, when we have been planning this trip to the mountains for months, when, as things are at the office, I must go now or not at all, to have her come dropping down upon us like this is a little too much like the last straw that finished the unlucky camel."

"A straw! It is as bad as a whole stack at once!" cried Anita, with a miserable little groan. "But then," brightening somewhat, "she says, you know, that these friends are getting up a party to cross the continent, and she may come with them; but she is not altogether decided about it. If she comes, she will be here soon; but we may still cherish a small hope of escape."

"But that is the worst of it," exclaimed Donald hotly. "The idea of changing all our plans for an uncertainty like that! God save us from our friends, say I. In the long run they make us twice as much trouble as our enemies."

"But you must remember how much I owe her; that my home was with her for ten years," urged Anita, extenuatingly. "And the trial I was to them—Aunt Martha and Aunt Jane—those prim, properly minded old maids. Think of that, Don," with a ripple of laughter at the memories aroused. "They never could get over it, you know, that my mother was a Mexican, and that my dark face advertised the awful fact that I, too, was Mexican. And my temper! Oh, I was a scourge to them, I can tell you."

The ghost of a smile flickered under the tawny mustache which Donald was abstractedly stroking. The impulsive temper of his wife was to him a natural phenomenon, a sort of spiritual geyser whose ebullitions were governed by no law comprehensible to his easygoing temperament. That what were to him the baldest trifles—a careless word, the forgetting of a goodby kiss when he was hurried, an unmeaning compliment idly tossed to a pretty woman—that small things like these should be so large in power to stir up a tempest had been to him an amazing revelation of married life. Being a man of some discretion, however, and devotedly loving his handsome wife as well, he had found it expedient to cultivate a thoughtfulness respecting the small things that seemed to her of moment quite foreign to the comfortable spirit of selfishness in which his meek mother had reared him, and thus kept clear, for the most part, of troubled

waters; but he was no less impressed with the fact that Anita's dark eyes, whose glances fell with such melting tenderness upon those whom she loved, could flash even brighter with stormy wrath, and he had no doubt whatever but that she had made life exceedingly interesting to those women to whom had been given the discipline of her early years.

"I hope you made their lives a burden to them, if only as anticipatory revenge for this disappointment," he diplomatically returned.

"But I don't want you to be disappointed, dear," the shade of anxiety returning to her face. "As I said before, I want you to go just the same. It will be enough if I am here to entertain Aunt Martha."

"Go without you?" with extreme disapproval—"when I had planned the trip almost wholly on your account."

"And with never a thought of trout?" regarding him with smiling mockery.

"Well, quite incidentally, of course I remembered that there were trout waiting to be caught," he laughingly admitted. "But I want you with me all the same. All the trout in the creeks could not console me for going without you. And you need a change, too, Nita. You have not been away all this summer, and in this altitude it won't do," regarding her with fond solicitude.

"And do I look like a physical wreck?" standing, tall and lithe, before him, laughingly challenging his glance. That his eyes found her well worth his looking she could not but read in his lingering gaze. Blooming health was evident in every line of her grandly developed form, in her glowing eyes, and in the smiling, red-lipped mouth.

"What a splendid woman you are, Anita!" he exclaimed with unwonted passion, taking her hand and pressing it gently against his cheek. Her dark face flushed with delight at the caressing touch. She was full of that tropical passion that must always be seeking expression, while he, having comfortably subsided into the placid content of the married man, was more prone to hold up the cheek than to press the kiss. He had an impression that they indulged in a great deal of philandering for a couple to whom had been given time to outlive their honeymoon, but only the jealous heart of the wife noted on which side fell the balance of caressing.

"And you will go, Don, quicker?" she murmured insistently, her fingers tightening tenderly around his.

"Out of the question," he carelessly returned, releasing his hand as he peered through the vines to see who opened the gate.

"The Rogerses," muttered Anita impatiently. "These were people whom she never cared to welcome."

"The Rogerses," echoed Donald, in a very different tone, not at all sympathizing with his wife's prejudice in this particular.

"Love among the roses—how delightful!" cried Mrs. Rogers, as she tripped up the walk, followed by her husband, her soft, small voice affecting Mrs. Bartels' nerves as sulphuric acid does chalk.

"Good evening, both of you. Don't move, Mr. Bartels, you look so comfortable. Why should you disturb yourself for a couple of old cronies like Joe and me? If I were smoking, with my heels up, and you came, I would not budge, I can tell you," with a pretty rippling sound in her throat that was more like bird song than like laughter.

"I think I must come and see," laughed her host, with the easy familiarity all men assumed toward her, as he offered a chair.

"Well, I won't promise positively as to the heels," with a little oblique glance into his eyes from the shade of her broad brimmed hat, as she nestled back in the chair, rocking with childish abandon; "but if you will come soon, with your pockets full of cigarettes, we'll see about it."

She was a dainty little creature, scarce five feet high, her girlishness considerably increased in appearance by a pretty school-girl sort of gown, considerably shorter than the fashionable length of the time. She seemed like a spoiled child, a creature meant only for petting, with her innocent, yellowish brown eyes, and the carelessly smiling mouth showing her small white teeth. It seemed as if she could never be held half accountable for whatever audacious word she might utter.

"You may expect me," laughed Donald, with a furtive glance at his wife. That Anita heard and disapproved was plain to him in a certain tightening about the lines of her mouth. If only she could acquire the comfortable, laissez faire spirit that he enjoyed!

"Do you smoke, Mrs. Bartels?" asked Mrs. Rogers, matter of factly, turning to her. The glance of Anita's black eyes might have been as bad as a cuff on the ear to a more sensitive person, but Mrs. Rogers cared not a whit for what she termed that lady's airs. Donald, after the first shock of incredulous amazement, burst out laughing, exquisitely tickled with the incongruity of the idea. Dr. Rogers leaned toward his wife with an expostulatory, "Why, Dot?" and Anita smiled faintly, as if courteously disposed to treat the question as a joke, but finding it hard to do so.

"What a remarkably singular idea you must have of me?" she said slowly. "Oh, not at all. I had an idea that all Mexican ladies smoked."

"But my father was an American, you know, and naturally I inherited a few American prejudices. And then I was transplanted when I was so very young, you can hardly count me a Mexican."

"One could never think you anything else, with your complexion and those magnificent eyes," with the brusque naivete of a child.

"Mil gracias, signora," with smiling irony.

"To paraphrase somebody else," interpolated the doctor, in amiable effort to change the subject, "if I were to be talked to death, I would certainly choose Spanish for the tongue. It is the music of language."

"But, of course, if you had remained in Mexico, you would have smoked," persisted the small lady, who would have

on whatever string pleased her. "When one is at Rome one does as Romans do. After all, Mr. Bartels, propriety is all a mere question of latitude and longitude, is it not? Whatever may be one's pet wickedness, if he travels far enough, around the world he is pretty sure to find a place where it will count as a virtue."

"Aren't you a wee bit heterodox?" "I suppose you think one need only stay at home and employ a lawyer to whitewash his sins anywhere?"

Donald laughed, a good deal amused with this bit at his profession. "And do you propose to offer me a retainer?" he gayly demanded.

"That would be a case of the blind leading the blind, wouldn't it? I think I would do better to go looking for that appreciative community where my particular peccadillo would place me on a pedestal in popular esteem."

"Ah, you will go to heaven," sighed Donald.

"Don't be sacrilegious, my boy," drawing a long face. "And, by the way, when do you start for over the range, in a terrestrial way, yourselves?"

"Our Aunt Martha is coming, and our plans are all spilled into consummation, so to speak," with rueful face. His disappointment was very real.

"And Mr. Bartels is going without me," supplemented Anita smilingly.

"What! going by himself?" with most frank surprise. "I did not know that you ever trusted him out of your sight." Even Donald moved restlessly under this characteristic canon.

"Oh, you are quite mistaken," he lightly protested. "Mrs. Bartels has such extravagant confidence in my capacity for taking care of myself that she is continually devising schemes to be rid of me. She has a fresh one on the tapis now, but I do not propose to humor her in it."

"But I shall enlist the doctor on my side in this case, and he will tell you that you must go, will you not, Dr. Rogers?"

"Certainly I will to oblige you."

"We will even make up the prescription ourselves and force the dose down his throat if necessary," laughed Mrs. Rogers, an audacious light in the eyes comely lifted to meet the glance of her host. "We will see that he goes even if it compels us to go and take him ourselves."

"Ah, if you only would!" murmured Donald, with his sweet almost effeminate smile. Just so he had smiled Anita's heart away upon a time when she had thought the rare tenderness of it only roused to life at her glance. She had grown wiser since, discovering that all these smiles of such sunny softness were as impartial as heaven's own sunshine upon whom they fell, meaning no more than the ugliest grin of another man. But, although she knew how little it implied, she could not restrain a quick impulse toward jealous anger when she saw that caressing glance falling upon another woman.

"Don't you think, Anita, that you are a little—well, just a little paralyzing in your manner to that poor little woman?" hazarded Donald when their guests were gone.

"I think that I make a very painful effort to be nice to her," coldly moving to go in doors. "I don't admire your friend, you know, Don."

"And why should you not?" with good humored reasoning. "I have told you how awfully kind she was to me when I had mountain fever. If she did not exactly save my life, she at least did all that she could to make life worth the living through that miserable time. I am under an immense obligation to her on that score, and I can neither forget nor ignore it. I wish you would think of that, Nita, and to please me, if for no other reason, try to see the good there is in her."

"I would need Diogenes' lantern," interpolated his wife.

"She is one of the best hearted little women on earth. There is not an atom of harm in her," added Donald warmly.

"Then why does she force upon people such a different impression of her?" demanded Anita sharply, leaning back against the door with an air of scornful weariness of the subject. "Why must she have some man beside her husband forever dangling after her?"

"For the same reason that Alcibiades cut the dogs' tails off, perhaps—to give people something to talk about," unwonted irritation in his voice. "Your allegation is a little intemperate all the same, my dear. The men whom you charge with dangling after Mrs. Rogers are her husband's friends, who are more particularly dangling after him, if you want to use that word. They are jolly, hospitable people, who entertain delightfully, in a free and easy way, and their house is naturally popular with all the boys; and that is the sum and substance of Mrs. Rogers' crimes. Other women, whose evil imaginations prove them not a tithe as pure as she, are full of spiteful jealousies, and you listen to all their idle tattling because—well, slipping his arm around her as they passed into the dimly lighted hall, "of course I can guess the main ground of your prejudice against her. You cannot forgive the poor little woman because a few vulgar gossips once counted me among her satellites. But that was such a long time ago, dear—a mere myth of a bygone age. And," with a light laugh, bending to kiss her, "surely you can afford to forget it, sweetheart: because it can never be said again."

[To be continued next week.]

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